



Drug Court/Drug Board Pilot Program

Annual Report to the Utah Legislature, October 2006

This Annual Report, required by Utah Code §63-97-201, summarizes the activities of Utah's Drug Court and Drug Board Programs. Drug Courts and Drug Boards offer nonviolent, drug abusing offenders' intensive court-supervised drug treatment as an alternative to jail or prison. The Department of Human Services provides funding for 19 Drug Court and 2 Drug Board programs. The creation of the Drug Court Program, definitions and criteria for participation, are found in Utah Code §78-3-32.

Caseload Growth

In response to the cycle of criminal recidivism common among drug offenders, local jurisdictions began in the mid 1990's to create Drug Courts in Utah. In 1996, two Drug Courts existed in Utah. By 2005, 32 Drug Courts were operating. Felony Drug Court participation has driven the growth in overall drug court participation. However, a lack of funding prevents Drug Courts from serving many who would benefit. While no waiting lists exist because of the need to process judicial cases in a timely manner, most Drug Courts have adopted caps to admission to control caseload growth.

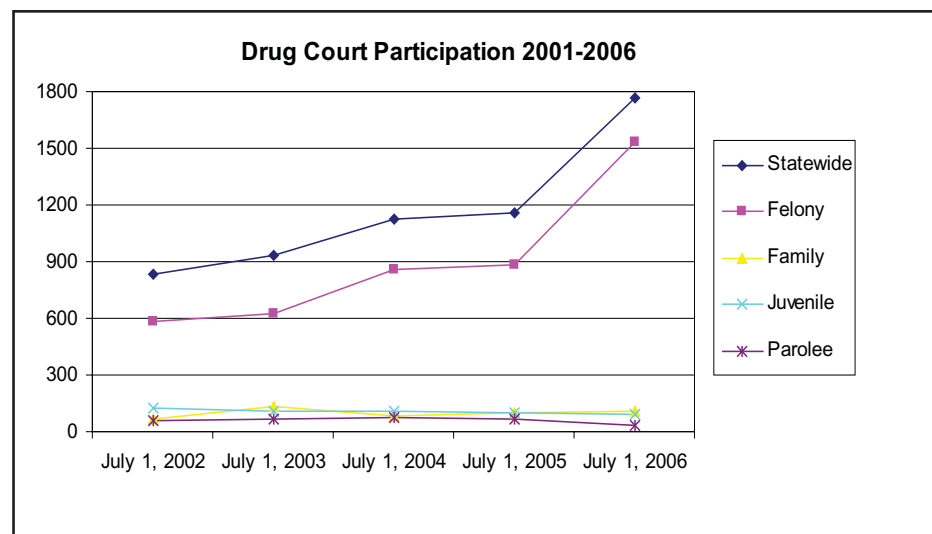
What Do Drug Courts Require of Participants?

Drug Court participants undergo long-term, judicially monitored treatment and counseling, and must appear before the Judge every week. The Drug Court Judge has the authority to impose sanctions and incentives. Successful completion of the treatment program results in dismissal of criminal charges, reduced or set aside sentences, or reduced probation time.

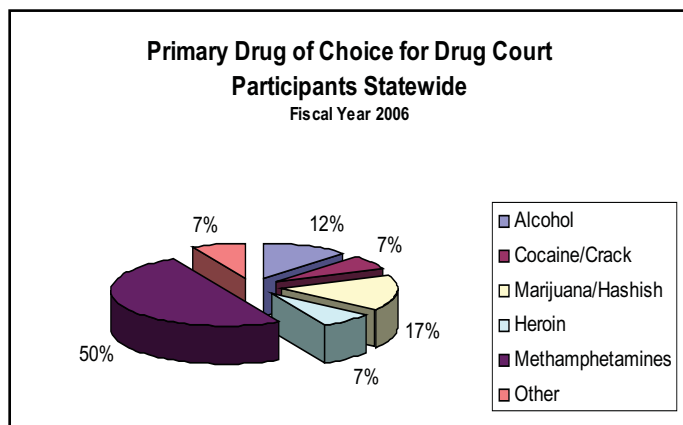
Are Drug Courts Effective?

Drug Courts are the most successful model for treating chronic, substance-abusing offenders. Drug Courts significantly reduce substance use and criminal behavior (Belenko, 1998, 2001). "To put it bluntly, we know that drug courts outperform virtually all other strategies that have been attempted for drug-involved offenders" (Marlowe, DeMatteo, & Festinger, 2003). Drug Courts reduce drug use and crime. They also reduce costs. Incarceration of drug using offenders costs between \$20,000 and \$30,000 per person, per year. The capital costs of building a prison cell can be as much as \$80,000. In contrast, a comprehensive drug court system typically costs between \$2,500 and \$4,400 annually for each offender.

Methamphetamine use is the driving force in the need to expand Drug Courts. Since 2001, methamphetamine has been the #1 illicit drug of choice for clients admitted to the public substance abuse treatment system surpassing marijuana and accounting for approximately 27.6% of all treatment admissions.



At admission 50% of Drug Court participants report that methamphetamine is their drug of choice.



Drug Courts are of great value in treating offenders addicted to methamphetamine. Treatment providers report that methamphetamine users are often difficult to engage and retain in treatment. Drug Court has proven to be successful in keeping methamphetamine users in treatment for a significant period of time. In Utah, Drug Court participants are involved in treatment an average of 339 days. In comparison, national studies have found that 50% of referrals from the criminal justice system never make it through the front door of a treatment center despite being ordered to do so (Marlowe, DeMatteo, & Festinger, 2003).

Methamphetamine users respond well to the application of contingency strategies (rewards and punishments rapidly applied contingent upon specific behaviors). Drug Courts reinforce positive behaviors (e.g., treatment attendance and drug free urine samples) and punish (e.g., jail) negative behaviors (e.g., continued drug use). By using these strategies, Drug Courts promote a positive treatment response in methamphetamine users.

Data Collected by DHS Shows that Drug Court:

Participation is Growing

- 32 Drug Courts are now operating in Utah
- Over 6,300 Utahns have participated, or are currently participating in a Drug Court
- Over 3,800 Utahns have graduated from a Drug Court

- 67% of participants graduate
- Next year, 2,000 Utahns will participate in Drug Court
- Participants are involved an average of 339 days (Graduates = 410, Unsuccessful or terminated participants = 244)

Decreases Substance Use

- 69% of all participants report abstinence at discharge, an additional 9% report reduced use at discharge

Increases Employment Rates

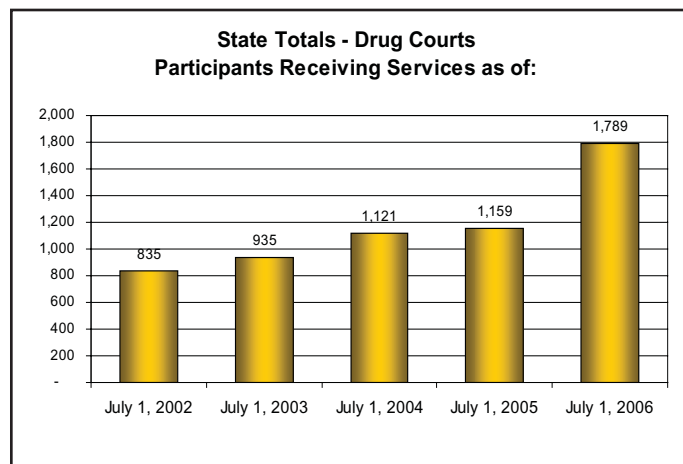
- Statewide, between admission and discharge, employment rates for Adult Drug Court participants rose by 7 percentage points

Reduces Recidivism

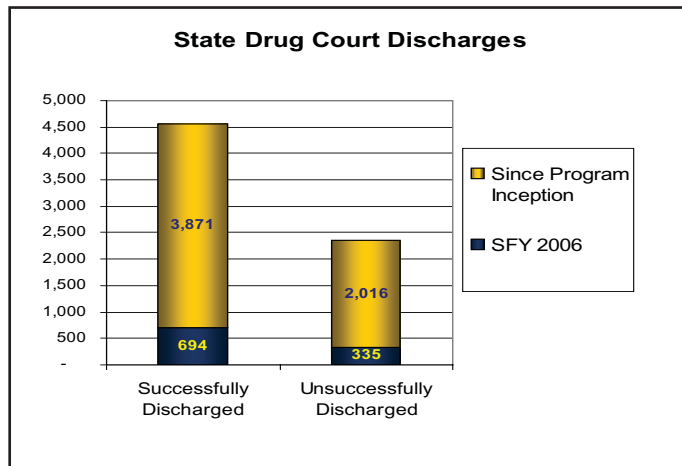
- Six months prior to involvement, participants report an average of 2.7 arrests
- 84% of participants report zero arrests while in Drug Court

Statewide Drug Court Statistics

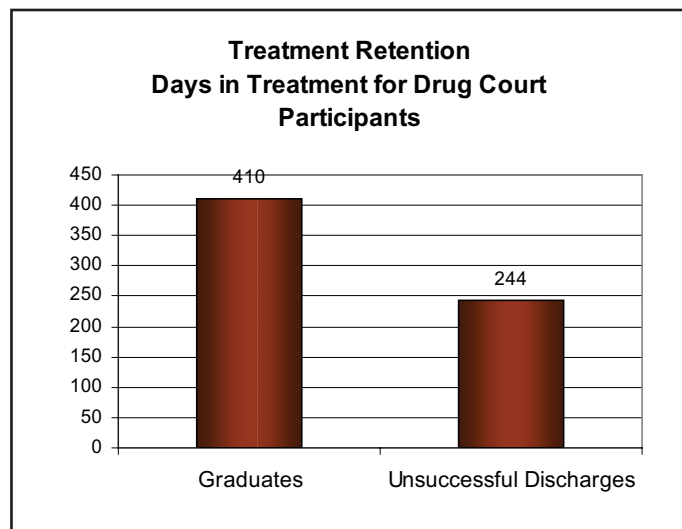
Overall, participation in Drug Court is growing. Since 2002, participation has more than doubled.



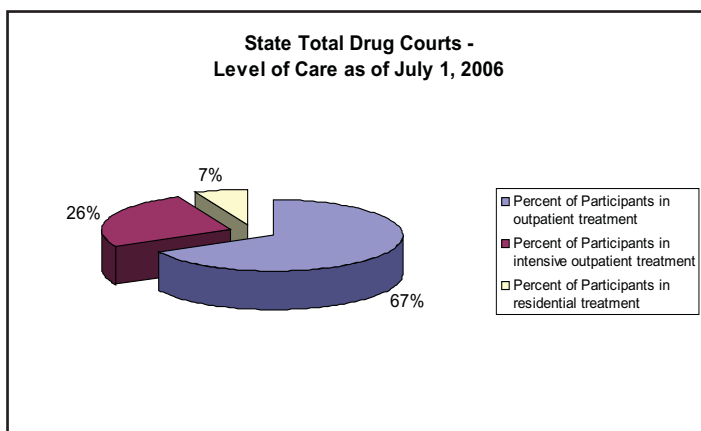
Sixty-seven percent of participants complete Drug Court successfully. This compares well to treatment outcomes for all populations. Given the program length, strict supervision, and chronicity of the target population, the result is outstanding.



Drug Court retains offenders in treatment. The research suggests that retention is the most critical factor in successful outcomes (Marlowe, DeMatteo, & Festinger, 2003).



Sixty-seven percent of participants are treated at the outpatient level. In traditional programs, offenders are often placed at higher levels of care due to concerns about public safety. This can be five times as expensive as outpatient care.



Utah Drug Courts

There are currently 32 Drug Court and Drug Board programs throughout the state; at this time the Department of Human Services provides funding for 19 drug courts and 2 drug board programs. All of the courts are listed separately below, the courts that are provided funding from the Department of Human Services are indicated with an * before the court.

Adult Felony Drug Courts: Adult Felony Drug Courts focus upon individual adult offenders charged with a felony drug crime. Though restrictions may vary by location and program, adult felony drug court is generally available to:

- Certain nonviolent offenders charged with a felony drug crime. These crimes include forged prescriptions, possession with intent, and felony possession of a controlled substance.
- Offenders with at least one previous drug conviction for which a sentence was given.
- Offenders must be in the country legally.

Utah has 15 functioning Adult Felony Drug Courts, located in *Box Elder, Cache, *Carbon, *Davis, *Emery, *Heber, Millard, *Salt Lake, Sanpete, *Sevier, Tooele, *Uintah, Utah, *Washington, and *Weber counties.

Juvenile Drug Courts: Juvenile Drug Courts emerged in Utah during the late 1990s as an alternative approach for dealing with young drug offenders. Juvenile Drug Courts are aimed specifically at first time or second time juvenile offenders and use a comprehensive approach that involves the family and school system. Requirements of juvenile Drug Court include 60 hours of community service, written essays on the dangers of drug use, and on-going court supervision. Treatment services are individually tailored and developmentally appropriate. Utah has five Juvenile Drug Courts located in *Weber, Davis, *Salt Lake, *Tooele and *Utah Counties

Dependency Drug Courts: Dependency Drug Courts hear cases where the state has alleged abuse or neglect on the part of the parent. These drug courts acknowledge that neglect and abuse may be a product of drug addiction. Subsequently, teams within this court hold

parents accountable for their behavior by monitoring their treatment and encourage a focus on recovery so the family may be reunited. Six Family/Dependency Drug Courts operate in Utah. These programs are located in Davis, *Grand, *Salt Lake, *Utah, *Weber, and Washington Counties.

Drug Board: Drug Board provides community-based services through a drug court model to help drug-involved offenders reintegrate into their communities after being released from prison. Drug Board uses the authority of the Board of Pardons and Parole to apply graduated sanctions, positive reinforcement and to coordinate resources to support the prisoner's reintegration. Central to the Drug Board are the goals of tracking, supporting, and supervising offenders upon release. *Davis County and *Weber County currently operate Drug Board programs.

Misdemeanor Drug Courts: Four Justice Court-level drug courts provide nonviolent misdemeanor offenders with the opportunity to participate in judicially supervised, substance abuse treatment. Most of the participants in the misdemeanor courts have been arrested on marijuana or alcohol charges. These courts usually target first time offenders and are generally shorter in duration than felony Drug Courts. None of the Misdemeanor Drug Courts have received federal or state Drug Court funding. Judges donate time and resources to make these programs a reality. All of the Misdemeanor Drug Courts are found in Salt Lake County.

Independent Evaluations

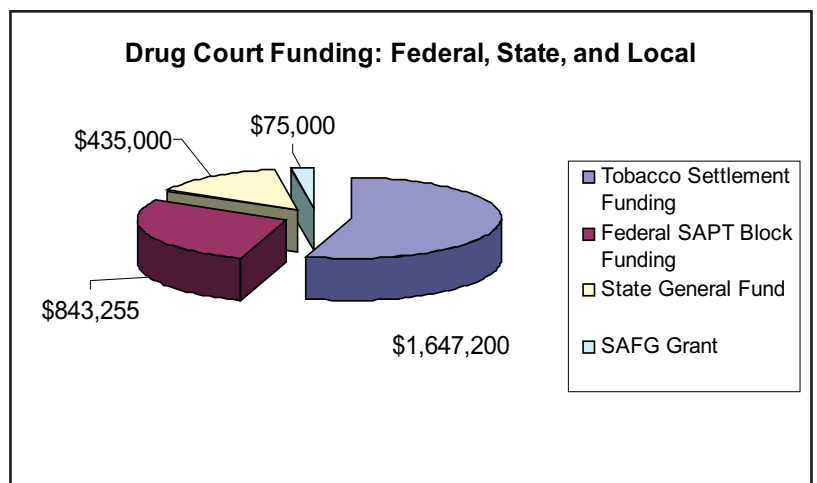
The general effectiveness of Drug Courts on reducing recidivism has been consistently established in studies from across the country (Belenko, 2001). The Government Accountability Office's (GAO) review of adult drug court evaluations (2005) found that most studies have shown both during program and post-program (up to one year) reductions in recidivism. Utah Drug Courts have been the subject of at least eight independent evaluations. All of the independent reports showed positive outcomes. Three of the Salt Lake County Drug Court studies consistently show

lower recidivism for Drug Court graduates than non drug court comparison groups and lower recidivism for Drug Court graduates than unsuccessful clients (Van Vleet, 2005). These robust findings across time periods and methodological differences indicate that there are beneficial effects of participation and graduation in the Salt Lake County Drug Court (Van Vleet, 2005). Citations for all eight of these independent evaluations are listed at the end of this report.

Appropriations

Senate Bill 15, Use of Tobacco Settlement Revenues, passed during the 2000 Legislative General Session. This bill appropriated a total of \$1,647,200 to the Department of Human Services (DHS), allocating \$1,296,300 for statewide expansion of the Drug Court Program and \$350,900 for a Drug Board Pilot Program. The Drug Court Allocation Council, created by Utah Code §78-3-32, reviewed requests for funds and dispensed \$1,647,200 in awards to start, expand, or continue Drug Court/Drug Board operations. Another \$352,800 is appropriated to the Courts, Department of Corrections, and the Board of Pardons for administrative costs. In the 2006 Legislative session, \$500,000 of State General Funds was allocated to drug courts. A summary of DHS funding for Drug Court is found in the chart on the following page.

In addition to this funding, federal grant programs and county dollars are also used to support Drug Court. County funding for Drug Court has grown considerably since 2001. The following chart projects the mix of County, Federal, and State funding for Utah Drug Courts:



The charts below shows DHS funding for each Drug Court for 2006:

Drug Court Funding	2001	2002	2003	2004	2005	2006	2007
Tobacco Settlement Funding	\$1,296,300	\$1,296,300	\$1,296,300	\$1,296,300	\$1,296,300	\$1,296,300	\$1,647,200
Federal SAPT Block Funding	\$462,387	\$598,451	\$598,451	\$1,079,703	\$1,199,703	\$1,150,639	\$843,255
State General Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$435,000
SAFG Grant	\$0	\$0	\$0	\$0	\$0	\$0	\$75,000
Total Funding	\$1,758,687	\$1,894,751	\$1,894,751	\$2,376,003	\$2,496,003	\$2,446,939	\$3,000,455

UTAH DRUG COURT FUNDING BY DRUG COURT MODEL								
Model	DRUG COURT	2001	2002	2003	2004	2005	2006	2007
FELONY	Bear River / First District Drug Court	\$125,000	\$125,000	\$125,000	\$125,000	\$125,000	\$125,000	\$131,250
	Carbon County Felony Drug Court	\$0	\$0	\$0	\$0	\$0	\$0	\$95,831
	Davis County Felony Drug Court	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$275,500
	Emery County Drug Court	\$160,000	\$160,000	\$160,000	\$160,000	\$160,000	\$160,000	\$149,998
	Heber Felony Drug Court	\$0	\$0	\$0	\$36,000	\$36,000	\$36,000	\$43,200
	Salt Lake County Felony Drug Court	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$292,500
	Sevier County Felony Drug Court	\$0	\$64,064	\$64,064	\$64,064	\$64,064	\$64,064	\$68,250
	Uintah County / Eighth District Drug Court	\$120,000	\$120,000	\$120,000	\$120,000	\$120,000	\$120,000	\$126,000
	Utah County Adult Felony Drug Court	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$250,000
	Washington County Felony Drug Court	\$46,870	\$46,870	\$46,870	\$50,000	\$120,000	\$120,000	\$192,000
	Weber County Felony Drug Court	\$41,250	\$41,250	\$41,250	\$250,000	\$250,000	\$250,000	\$292,500
	Total	\$1,193,120	\$1,257,184	\$1,257,184	1,505,064.00	1,575,064.00	1,575,064.00	\$1,917,029
FAMILY/ DEPENDENCY	Fourth District Dependency Drug Court	\$75,000	\$75,000	\$75,000	\$125,000	\$125,000	\$125,000	\$137,500
	Grand County Family Drug Court	\$0	\$0	\$0	\$40,000	\$40,000	\$40,000	\$75,900
	Third District Dependency Drug Court	\$105,000	\$105,000	\$105,000	\$105,000	\$105,000	\$105,000	\$136,500
	Weber Child Protection Drug Court	\$0	\$0	\$0	\$80,000	\$80,000	\$80,000	\$124,000
	Total	\$180,000	\$180,000	\$180,000	\$350,000	\$350,000	\$350,000	\$473,900
JUVENILE	Fourth District Juvenile Drug Court	\$0	\$0	\$0	\$75,000	\$75,000	\$75,000	\$86,250
	Third District Juvenile Drug Court	\$0	\$75,000	\$75,000	\$63,372	\$63,372	\$63,372	\$69,709
	Tooele County Juvenile Drug Court	\$35,000	\$32,000	\$32,000	\$32,000	\$32,000	\$32,000	\$32,000
	Weber Juvenile Drug Court	\$0	\$0	\$0	\$0	\$0	\$0	\$126,000
	Total	\$35,000	\$107,000	\$107,000	\$170,372	\$170,372	\$170,372	\$313,959
	STATE TOTAL	\$1,408,120	\$1,544,184	\$1,544,184	\$2,025,446	\$2,095,436	\$2,095,436	\$2,704,888

Independent Drug Court Research

Byrnes, Edward I. (2006) Weber County Juvenile Drug Court-Three Year Process Review, Eastern Washington University, School of Social Work (will be released later in 2006, early 2007).

Byrnes, Edward I, Church, Wesley, Process and Outcome Evaluation of the Washington County Felony Drug Court, University of Utah Social Research Institute, 2003 (on file at the Utah Division of Substance Abuse and Mental Health).

Byrnes, Edward I. (2001). Weber County Drug Court Evaluation Report, Social Research Institute, University of Utah (on file at the Utah Division of Substance Abuse and Mental Health).

Harrison, R. Steven, (1998). Salt Lake County Drug Court Evaluation Report, July, 1996 Through September, 1998, Social Research Institute, University of Utah (on file at the Utah Division of Substance Abuse and Mental Health).

Harrison, Steven R. (2001) Salt Lake County Drug Court Evaluation Report, Intermountain Evaluation Services. Social Research Institute, University of Utah (on file at the Utah Division of Substance Abuse and Mental Health).

Harrison, R. Steven, Parsons, Bruce V. Byrnes, Edward, (1999) Third District Juvenile Drug Court, Two year Recidivism and System Penetration Data Summary, Utah Byrne Evaluation Partnership Team, University of Utah Social Research Institute, 1999 (on file at the Utah Division of Substance Abuse and Mental Health).

Marr, John N. (2000) Review of the Salt Lake County, Utah Drug Court Program, OJP Drug Court Clearinghouse and Technical Assistance Project at American University, Washington D.C. (on file at the Utah Division of Substance Abuse and Mental Health).

Van Vleet, Russell K., Hickert, Audrey O., Becker, Erin E. (2005), Evaluation of the Salt Lake County Adult Felony Drug Court, Final Report. Criminal and Juvenile Justice Consortium, College of Social Work, University of Utah (on file at the Utah Division of Substance Abuse and Mental Health).



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